

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA


KEVIN WOOD,) Case No.: 2:10-CV-2126-GMN-RJJ
)
Plaintiff,) **ORDER**
vs.)
)
LAS VEGAS METROPOLITAN POLICE)
DEPARTMENT, et al.,)
)
Defendant.)

Before the Court is Defendant Las Vegas Metropolitan Police Department's Motion for Partial Judgment on the Pleadings pursuant to Fed. R. Civ. P. 12(c) (ECF No. 12).

Defendant's motion asks the Court to dismiss with prejudice Plaintiff's state law claims for failure to comply with N.R.S. 41.036(2). The statute requires the Plaintiff to give Defendant notice of his state law claims within two (2) years of their accrual. N.R.S. 41.036(2). Plaintiff failed to do this. Plaintiff did not file a Response to Defendant's Motion for Partial Judgment but did state in his Motion to Amend that he does not Oppose Defendant's Motion. (Mtn to Amend 3:12-14, ECF No. 15). Therefore the Court GRANTS Defendant's Motion for Partial Judgment on the Pleadings (ECF No. 12).

IT IS HEREBY ORDERED THAT the Defendant's Motion for Partial Judgment on the Pleadings (ECF No. 12) is hereby GRANTED. Plaintiff's first and second claims for relief are DISMISSED with prejudice.

DATED this 19th day of January, 2011.



Gloria M. Navarro
United States District Judge